

REMARKS

With respect to the objection to the specification because of no specific reference to the provisional application, item 10. of the transmittal letter dated 28 September 1999 requested an amendment to page 1 to provide the required reference. Notwithstanding the transmittal request, page 1 is being amended according to the Examiner's request.

With regard to inconsistency between the part list, specification and drawings, an amended parts list is included herewith.

With regard to the objection to the drawings, step 7 in Figure 2 has been added to page 10 of the specification (making revision of Figure 2 unnecessary) and reference number 38 has been removed from Figure 3 and the parts list. A new Figure 3 is included herewith.

Claims 1, 2, 4, 6-9, 12-15, 17, 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto et al.

Yamamoto et al. is aimed at use in a digital copier, or printer that receives a digital record from a scanner such as a desk-top scanner. Yamamoto et al. describe the acquisition of the digital record using a single one-dimensional sensor array with a pattern of r,g,b filters sequentially arranged along the sensor.

In Yamamoto et al., the r,g,b signals are read out of the (dot sequential) sensors so that the r,g,b values for one *dot* correspond to shifted locations (dot sequential error) on the original document (see Fig 2 and col. 4, lines 49-56). "Thus, color image signals ... from the same pixel [dot] do not strictly represent image information at the same position; they represent information from positions spaced one-third the size of one pixel [spacing] apart." The errors are called "dot sequential errors" in Yamamoto et al.

Accordingly, the color misregistration addressed by Yamamoto et al. is *one-dimensional* (only along the array (sub-scan) direction). Equation (1) in col. 5 indicates the way that simple linear interpolation would be used to compensate for this color misregistration via one-dimensional linear interpolation.

In contrast, the present invention is not restricted to one-dimensional color misregistration or compensation. For example, see page 9 (lines 15-25) "x and y misregistration," page 13 (line 6) "(x,y)", and the example compensation filter of page 14 (lines 12-27), and Fig. 3 item 22 "shift in x and y directions".

The Examiner noted that while Yamamoto et al. teaches a method bearing some similarity to that of the Applicant, the method is applied differently than that of the Applicant; however, the claims of the applicant are allegedly written broad enough to read on Yamamoto et al.. In order to further clarify the claims, and noting that the method of Yamamoto et al. is restricted to one-dimensional compensation, whereas applicant includes two-dimensional processing, the independent claims 1 and 14 have been modified to indicate in paragraph (c) that the processing is two dimensional. In addition, the reference to digital records have been related to an original digital image.

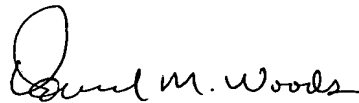
It is axiomatic that for prior art to anticipate under §102 it has to meet every element of the claimed invention. *Hybritech Inc. v. Monoclonal Antibodies, Inc.* 231USPQ 81, 90 (Fed. Cir. 1986). Anticipation under 35 U.S.C. Section 102 requires the disclosure in a single piece of prior art of each and every limitation of a claimed invention. *Rockwell International Corp. v. United States* 47USPQ2d 1027, 1031 (Fed Cir. 1998). The foregoing remarks indicate that each claim as now amended includes one or more claimed elements that are not to be found or suggested by the Yamamoto et al reference. For anticipation to be found, all of the claimed elements must be found in Yamamoto et al. Since that is not the case with respect to each and every one of the claims 1 – 23, the Examiner is respectfully asked to withdraw the rejection of these claims under 35 U.S.C. 102(b) and to consider allowance of the claims.

It is further noted that claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al in view of Herman et al., and claims 10, 11, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. However, these are all dependent claims and should now be allowable based on their respective parent claims 1 and 14.

Claims 5 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New independent claims 24 and 25 have been added to incorporate claims 5 and 18, respectively, as well as the limitations of their base claims 1 and 4, and 14 and 17, respectively.

Applicants respectfully request reconsideration of amended claims 1 – 23 in view of these remarks and arguments, which applicants believe make a reasonable case for patentability of the claims.

Respectfully submitted,

A handwritten signature in cursive script, reading "David M. Woods", written in black ink. The signature is positioned above a horizontal line.

David M. Woods
Attorney for Applicant(s)
Registration No. 27,171

DMW/RGR
Rochester, NY 14650
Telephone: 585-477-5256
Facsimile: 585-477-4646